

**REMARKS**

Claims 1-12 are pending. By this response, reconsideration and allowance based on the below comments are respectfully requested.

The Office Action rejects claims 1, 2, 8, and 9 under 35 U.S.C. § 103(a) as being anticipated by Mizuguchi et al. (US 6,310,885) in view of Rowlands et al. (US, 6,636,982) and claims 3-5, 7, and 10-12 under 35 U.S.C. § 103(a) as being unpatentable over Mizuguchi, Rowlands, and Basani (US 6,718,361). These rejections are respectfully traversed.

In embodiments of the present invention, a plurality of nodes are configured in a communication system in which a master node among a plurality of nodes is designated based on the transmission qualities among the nodes.

The Office Action admits that Mizuguchi fails to teach the feature of selecting a master node based on transmission qualities among the nodes, but alleges that Rowlands provides this teaching. Applicants respectfully disagree.

Rowlands teaches an apparatus for detecting a failure of a node in a cluster of computers. In the cluster of computers, one serves as a master while the rest serve as slaves. The master is chosen by comparing the SCSI IDs of all the nodes and setting as master the node with the highest SCSI ID. See column 15, lines 34-40 and Figs. 4 and 5a. Rowlands does not determine the master based on transmission qualities among the nodes as in the embodiments of the present invention.

The Office Action alleges that column 17, line 45 to column 18, line 4 of Rowlands provides the teachings of selecting a master node based on transmission qualities among all the

nodes. This section of Rowlands, however merely teaches detecting a slave node that is no longer in communication and setting that slave node status as “failed slave.” The failed slave can then be removed from the computer cluster. In this section of Rowlands, there is no teaching of designating a master node, based on transmission qualities among the nodes. Further, although Rowlands discloses that the failure-detecting node controller determines the cause of the failure, at column 17 line 48 to column 18 line 22, Rowlands fails to teach or disclose the feature of designating a master node based on transmission qualities among the nodes.

Therefore, the combination of Mizuguchi and Rowlands fails to teach or suggest:

(i) the designation step of designating one of said nodes as a master node based on transmission qualities among the nodes, designating other nodes as slave nodes, as recited in claim 1;

designating a node as a master node based transmission qualities between nodes, designating other nodes as slave nodes, as recited in claim 3;

one master node selected from among said nodes based on transmission qualities among said nodes, as recited in claim 8;

a master designation step of designating a node that becomes best in transmission quality between said node and other nodes from among all nodes, as a master node, as recited in claim 7;

if its own node is designated as a master node logically star connected to other nodes and if there exists such a node that would become best in transmission quality when logical star connections with other nodes were conducted in

response to connection of a new node of a change of communication state, then the processing unit conducts processing of ordering alteration of said node to a master node and transferring communication parameters among all nodes currently held to a master node after alteration, as recited in claim 10; and the master node that is selected from among all nodes and that is best in transmission quality with respect to other node, as recited in claim 12.

Therefore, in view of the above, Applicants respectfully submit that the combination of Mizuguchi and Rowlands fails to teach or suggest the features of independent claims 1 and 8. Also, the combination of Mizuguchi, Rowlands, and Basani fails to teach or suggest all the features of independent claims 3, 7, 10, and 12, as required. Thus, the independent claims 1, 3, 7, 8, 10, and 12 are distinguishable over the cited art. Dependent claims 2, 4-6, 9, and 11 are also distinguishable for the above reasons as well as for the additional features they recite. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

#### Conclusion

For at least these reasons, it is respectfully submitted that claims 1-12 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No. 10/031,436  
Amendment dated October 6, 2006  
Reply to Office Action of June 6, 2006

Docket No.: 2611-0169P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

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Respectfully submitted,

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